

CITY OF SAN ANTONIO

Board of Adjustment Regular Meeting Agenda

First Floor, Board Room
Cliff Morton Development and Business Services Center
1901 South Alamo Street

Monday, April 2, 2007

Board of Adjustment Board Members

Rene Balderas	District 1	Paul Klein	District 6
Edward Hardemon	District 2	Mary Rogers	District 7
Helen Dutmer	District 3	Vacant	District 8
Gerald Yarbrough	District 4	Michael Gallagher	District 10
Laura Lizcano	District 5	Gene Camargo	District Mayor
	Mike Villyard	District 9	
	Chairman		

- I. **1:00 p.m. – Public Hearing Call to Order and Roll Call.**
- II. **Pledges of Allegiance.**
- III. **A-07-013:** The request of Josephine G. Esparza for a Special Exception to relocate a residential structure from 11233 Loop 107 to 1110 Linden Avenue.
- IV. **A-07-024:** The request of Roberto Casares for a 3-foot variance from requirement that solid screen fences in front yards be no taller than 3 feet, in order to erect a 6-foot tall solid screen fence in the front yard, 5574 Cool Valley.
- V. **A-07-025:** The request of Roberto Ovalle for **1)** a 2-foot variance from the requirement that a minimum 5-foot side setback be maintained for accessory detached dwelling units, in order to keep an existing accessory detached dwelling unit 3 feet from the side property line, and **2)** a 2-foot variance from requirement that a minimum 5-foot rear setback be maintained for accessory detached dwelling units, in order to keep the same existing detached dwelling unit 3 feet from the rear property line, 521 East Laurel Street.
- VI. **A-07-026:** The request of John M. Neugebauer for a 26-foot variance from the requirement that a minimum 30-foot rear setback be maintained in “C-2” and “C-3” zoning districts when abutting a residential use or residential zoning district, in order to construct a building 4 feet from the rear lot line, 10042 Potranco Road.
- VII. **A-07-028:** The request of Charles Edens for **1)** a 5-foot variance from the requirement that solid screen fences in front yards be no taller than 3 feet, in order to erect an 8-foot tall solid screen fence in the front yard, and **2)** a 2-foot variance from the requirement that solid screen fences in side yards be no taller than 6 feet, in order to erect an 8-foot tall solid screen fence in the side yard, 605 Kendall Street.

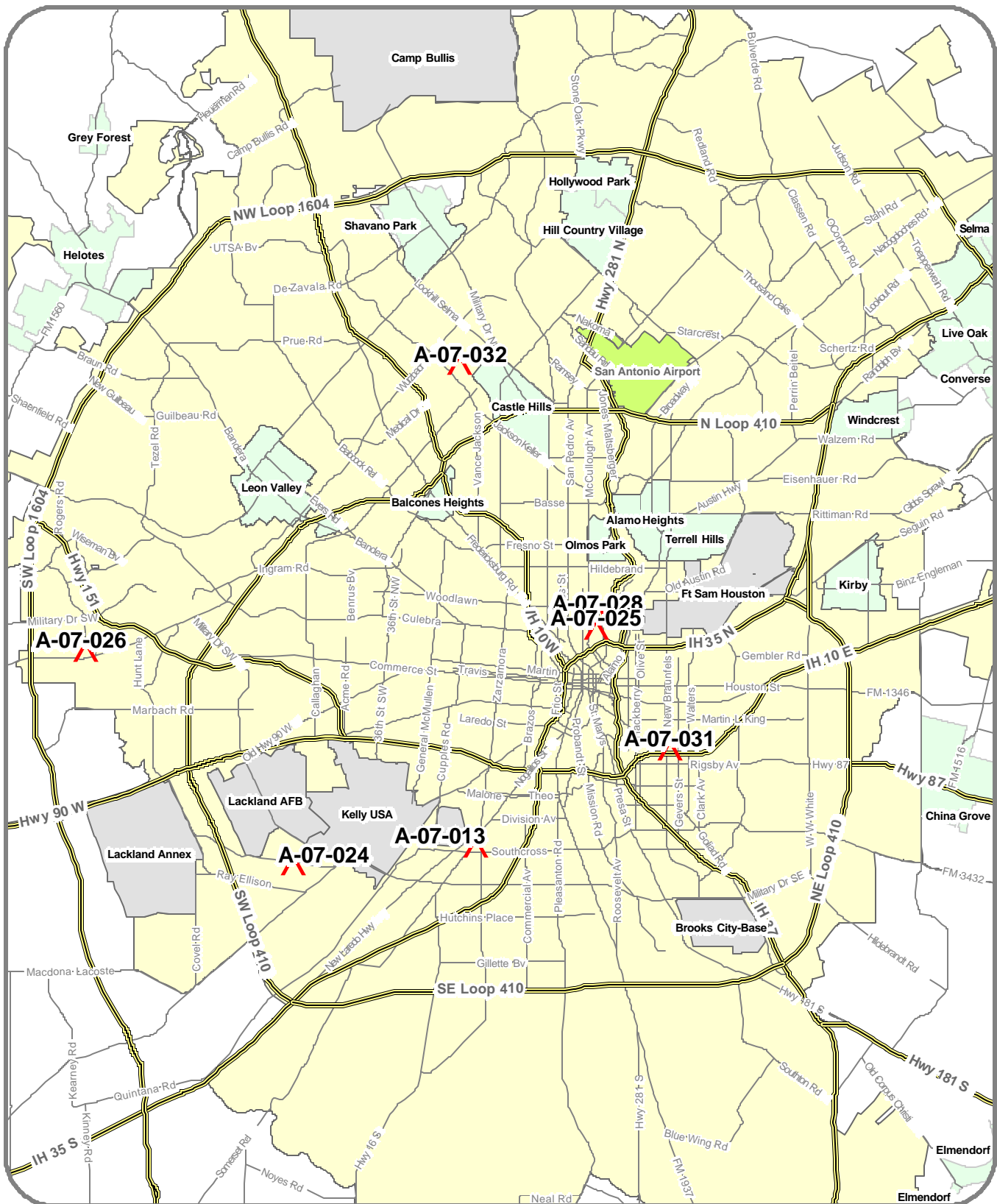
- VIII. **A-07-031:** The request of Salvador Rico, Jr. for a 2-foot variance from the requirement that fences in side or rear yards be no taller than 6 feet, in order to keep, and add to, an existing 8-foot tall solid screen fence in the side and rear yards, 726 East Drexell Avenue.
- IX. **A-07-032:** The request of Maria Luna for a 2-foot variance from the requirement that predominately open fences in front yards be no taller than 4 feet, in order to keep a 6-foot tall predominately open fence in the front yard, 10131 Vernlyn.
- X. Consideration of **Sign Master Plan No. 07-005** for property located at the intersection of Loop 410 and Marbach Road.
- XI. Consideration of **Sign Master Plan No. 07-006** for Sonterra Park III located at the intersection of Loop 1604 and Hardy Oak Boulevard.
- XII. Consideration of **Sign Master Plan No. 07-007** for property located at the intersection of Seguin Road and Woodlake.
- XIII. Consideration of **Sign Master Plan No. 07-008** for property located at the intersection of Bandera Road and Bresnahan Drive.
- XIV. **Approval of the minutes from the regular meeting on March 5th of 2007.**
- XV. **Staff Report.**
- XVI. **Executive Session:** consultation on attorney-client matters (real estate, litigation, personnel, and security matters) as well as any of the above agenda items may be discussed.
- XVII. **Adjournment.**

Note: The City of San Antonio Board of Adjustment Agenda is on the Internet at: www.sanantonio.gov/dsd

At any time prior to the meeting, you may contact a case manager at 207-6944 or 207-0132 to check the status of a case.

Accessibility Statement

This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling (210) 207-7245.



Board of Adjustment

Subject Property Locations
 Cases for April 2, 2007



Produced by the City of San Antonio
 Development Services Department
 (03/21/2007)

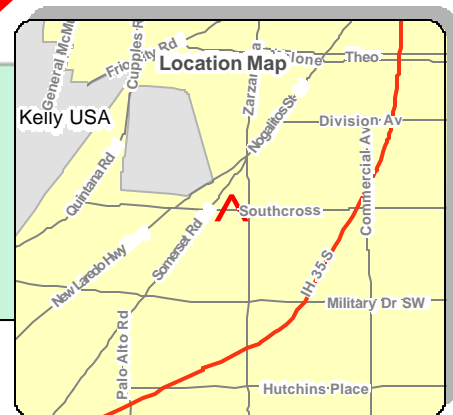


Board of Adjustment

Notification Plan for Case A-07-013



Legend
Subject Property
200' Buffer



Scale: 1" approx. = 80'
Council District 4

Produced by the City of San Antonio
Development Services Department
(03/21/2007)

Board of Adjustment - Case No. A-07-013

April 2, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 2, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Josephine G. Esparza
Lots 8 and 9, Block 14, NCB 8006
1110 Linden Avenue
Zoned: “R-6” Residential Single-Family District

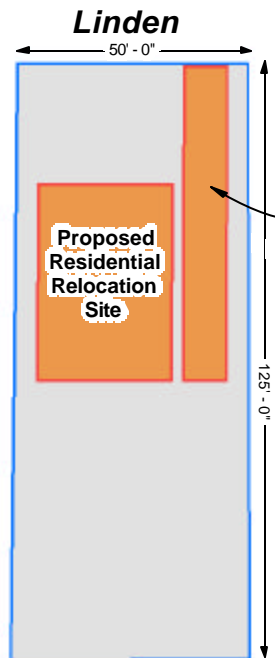
The applicant is requesting a Special Exception, as required in the Unified Development Code, to relocate a residential structure from 11233 Loop 107 to 1110 Linden Avenue.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager Michael Taylor at (210) 207-0132. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

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Lots 8 and 9
NCB 08006 - Block 014

Board of Adjustment

**Plot Plan for
Case A-07-013**



Scale: 1" approx. = 40'
Council District 4

1110 Linden

Produced by the City of San Antonio
Development Services Department
(03/01/2007)

CASE NO: A-07-013

Board of Adjustment – April 2, 2007

Applicant: Josephine G. Esparza
Owner: Josephine G. Esparza
Request(s): A Special Exception to relocate a residential structure from 11233 Loop 107 to 1110 Linden Avenue
Legal Description: Lots 8 and 9, Block 14, NCB 8006
Address: 1110 Linden Avenue
Zoning: "R-6" Residential Single-Family District
Existing Use: Vacant
Neigh. Assoc: None
Neigh. Plan: None

Section of the City Code from which this Special Exception is requested

Section 35-399.03 Relocation of Buildings and Structures: The relocation of any residential building or structure shall not be undertaken unless and until a special exception is approved by the Board of Adjustment.

Background: The subject property is located in a mixed-use neighborhood located southwest of Downtown. Single-family residential uses are found along the local streets, while residential, commercial and industrial uses are found along the collector and arterial streets. The subject parcel is situated on the south side of Linden Avenue between Priscilla and Votaw Streets. The lots to the north, south, and west are occupied by single-family residences. The lot to the east is zoned for a single-family residence but is currently vacant. The structure proposed to be moved is approximately 900 square feet in gross floor area and the inspector reported this building to be structurally sound to be moved. This structure is proposed to be used as a single-family dwelling.

Recommendation: The following attributes characterize the majority of existing single-family homes in the area:

- Horizontal Siding (Wood or Synthetic Material)
- Gable Roofs
- Covered Front Porches or Entryways with Doors that Face the Street
(Please see attached spreadsheet for additional details)

Staff finds the structure proposed to be moved to be similar in style and scale to the other single-family homes in the area. The applicant has submitted a plan for interior and exterior improvements that, once completed, will bring the condition of the structure proposed to be moved inline with the other homes in the area. As a condition of this Special Exception request, the applicant has agreed to make all repairs necessary to bring the structure into compliance with all applicable City Codes within 90 days. Staff recommends **approval** of this Special Exception request.

Case Manager: Michael Taylor, Planner II (210) 207-0132



Board of Adjustment

Notification Plan for Case A-07-024



Legend
 Subject Property
 200' Buffer

Scale: 1" approx. = 100'
 Council District 4

Produced by the City of San Antonio
 Development Services Department
 (03/22/2007)

Board of Adjustment - Case No. A-07-024

April 2, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 2, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Roberto Casares
Lot 1, Block 119, NCB 15273
5574 Cool Valley
Zoned: “NP-8” Neighborhood Preservation District

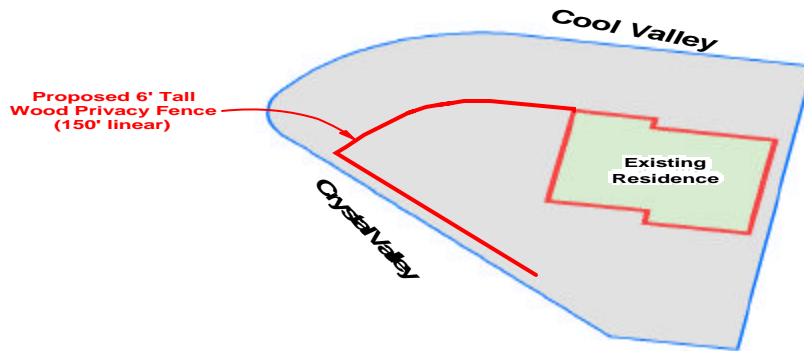
The applicant is requesting a 3-foot variance from the Unified Development Code requirement that solid screen fences in front yards be no taller than 3 feet, in order to erect a 6-foot tall solid screen fence in the front yard.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

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Whether or not you attend this public hearing, please complete and return the enclosed card to the Development Services Department, 1901 South Alamo, San Antonio, Texas 78204-3966. Thank you.



Lot 1
NCB 15273 - Block 119

Board of Adjustment

**Plot Plan for
Case A-07-024**



Scale: 1" approx. = 50'
Council District 4

5574 Cool Valley

Produced by the City of San Antonio
Development Services Department
(03/22/2007)

CASE NO: A-07-024

Board of Adjustment – April 2, 2007

Applicant: Roberto Casares

Owner: Roberto Casares

Request(s): A 3-foot variance from the requirement that solid screen fences in front yards be no taller than 3 feet, in order to erect a 6-foot tall solid screen fence in the front yard

Legal Description: Lot 1, Block 119, NCB 15273

Address: 5574 Cool Valley

Zoning: “NP-8” Neighborhood Preservation District

Existing Use: Single-family residence

Neigh. Assoc: People Active in Community Effort/Valley Forest Neighborhood Association

Neigh. Plan: United Southwest

Section of the City Code from which this variance is requested

35-514 Fences and Walls: No fence or wall, other than the wall of a permitted structure, shall be erected or altered in any front yard to exceed a height of 4 feet with the fence or wall to be so constructed that vision will not be obscured above a height of 3 feet.

Background: The subject property is located in an established residential single-family subdivision and is occupied by a single-family residence. The subject property is an irregular shaped corner lot situated on the southeast corner of Cool Valley and Crystal Valley, south of Medina Base Road, north of Ray Ellison Boulevard. An adjoining lot, Lot 35 (5563 Crystal Valley), to the south of the subject property, creates reverse frontage for this lot, which means the subject property has two front yards: one on Cool Valley and one on Crystal Valley. Fence height limits apply to both front yards.

Recommendation: The intent of the maximum fence height requirement in front yards is to allow for desired property delineation while maintaining equally desired openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. The reverse frontage is a physical condition where it appears that literal enforcement of the ordinance would result in unnecessary hardship. Additionally, since the proposed fence location will *not* create a visual obstruction, and the intersecting streets appear to provide the desired openness, a variance would observe the spirit of the ordinance. Therefore, Staff recommends **approval** of the requested variance.

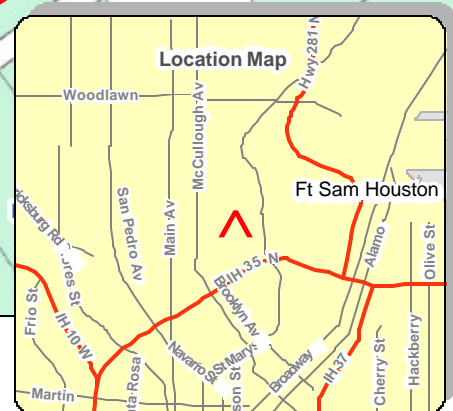
Case Manager: David Arciniega, Planner II (210) 207-6944



Board of Adjustment
Notification Plan for
Case A-07-025



Legend
 Subject Property
 200' Buffer



Scale: 1" approx. = 80'
 Council District 1

Produced by the City of San Antonio
 Development Services Department
 (03/01/2007)

Board of Adjustment - Case No. A-07-025

April 2, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 2, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Roberto Ovalle

The northeast 42 feet of Lot 15 and the southwest 8 feet of Lot 16, Block 18, NCB 398

521 East Laurel Street

Zoned: “R-6” Residential Single-Family District

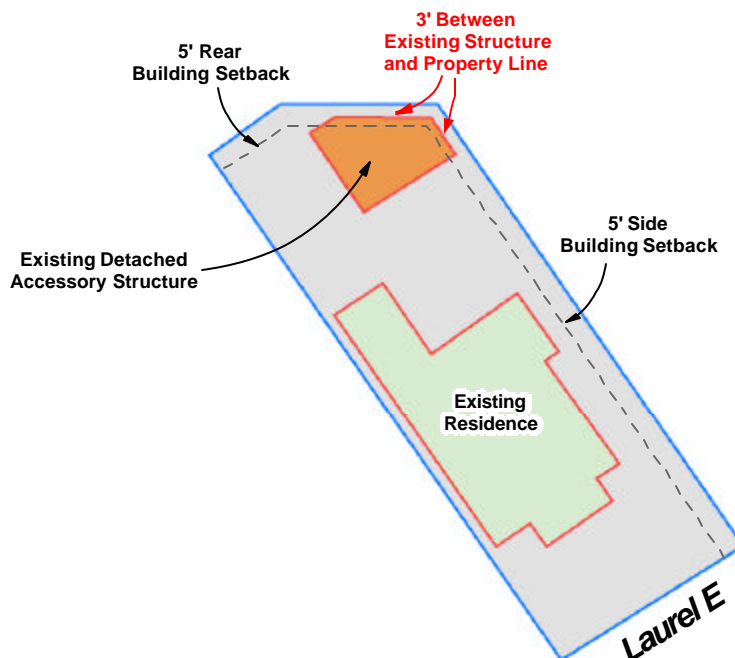
The applicant is requesting **1)** a 2-foot variance from the Unified Development Code requirement that a minimum 5-foot side setback be maintained for accessory detached dwelling units, in order to keep an existing accessory detached dwelling unit 3 feet from the side property line, and **2)** a 2-foot variance from the Unified Development Code requirement that a minimum 5-foot rear setback be maintained for accessory detached dwelling units, in order to keep the same existing detached dwelling unit 3 feet from the rear property line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager Michael Taylor at (210) 207-0132. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

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NE 42 ft of Lot 15 & SW 8 ft of Lot 16
NCB 00398 – Block 018

Board of Adjustment

**Plot Plan for
Case A-07-025**



Scale: 1" approx. = 20'
Council District 1

521 Laurel E

Produced by the City of San Antonio
Development Services Department
(03/20/2007)

CASE NO: A-07-025

Board of Adjustment – April 2, 2007

Applicant: Roberto Ovalle

Owner: Roberto Ovalle

Request(s): **1)** A 2-foot variance from the minimum 5-foot side setback required for accessory detached dwelling units, in order to keep an existing accessory detached dwelling unit 3 feet from the side property line, and **2)** a 2-foot variance from the minimum 5-foot rear setback required for accessory detached dwelling units, in order to keep an existing accessory detached dwelling unit 3 feet from the rear property line

Legal Description: The northeast 42 feet of Lot 15 and the southwest 8 feet of Lot 16, Block 18, NCB 398

Address: 521 East Laurel Street

Zoning: “R-6” Residential Single-Family District

Existing Use: Single-Family Residence

Neigh. Assoc: Tobin Hill Neighborhood Association and Tobin Hill Residents Association

Neigh. Plan: Tobin Hill Neighborhood Plan

Section of the City Code from which these variances are requested

Section 35-371 Accessory Dwellings: Accessory detached dwelling units shall require a minimum setback from the rear and side property lines of 5 feet.

Background: The subject property is located in a residential neighborhood located just north of Downtown. The subject lot is situated on the northwest side of East Laurel Street, just northwest of the intersection of East Laurel Street, Kendall Street and Wilmington Avenue. Single-family residences surround. Low density multi-family residential, consisting of duplexes, triplexes and quadplexes, may be found just beyond the immediate vicinity of the subject property. On December 21, 2006, the applicant received a citation for constructing an accessory detached dwelling unit in the rear yard without obtaining required building permits. The applicant submitted building plans for Departmental review on February 27, 2007. This initial plan review was denied, in part, because as constructed, the accessory detached dwelling unit encroaches 2 feet into the required side setback and 2 feet into the required rear setback.

Recommendation: The intent of the side and rear setback requirements for accessory detached dwelling units is to allow for air flow, light penetration, neighborhood uniformity, and to prevent the overcrowding of lots to maintain a reasonable amount of open space desired in single-family residential neighborhoods. While the City encourages reinvestment in existing neighborhoods and the creation of accessory dwelling units in single-family residential zoning districts, any new structure should be built in accordance with development regulations to protect the health, safety and welfare of the public. This parcel does not appear to be characterized by any unique terrain features where literal enforcement of the setback requirements would result in unnecessary hardship. Staff recommends **denial** of the requested variances.

Case Manager: Michael Taylor, Planner II (210) 207-0132

Board of Adjustment - Case No. A-07-026

April 2, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 2, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – John M. Neugebauer

Lot 93, Block 67, NCB 15910

10042 Potranco Road

Zoned: “C-2” Commercial District and “C-3R” Commercial Restricted Alcoholic Sales District

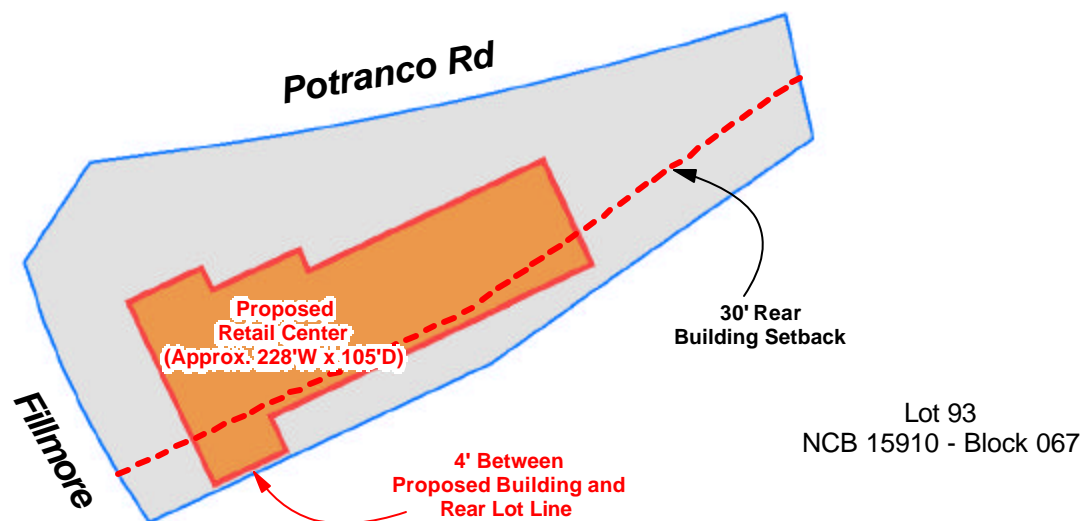
The applicant is requesting a 26-foot variance from the Unified Development Code requirement that a minimum 30-foot rear setback be maintained in “C-2” and “C-3” zoning districts when abutting a residential use or residential zoning district, in order to construct a building 4 feet from the rear lot line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager Michael Taylor at (210) 207-0132. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

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Whether or not you attend this public hearing, please complete and return the enclosed card to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.



Board of Adjustment

**Plot Plan for
Case A-07-026**



Scale: 1" approx. = 100'
Council District 4

10042 Potranco Rd

Produced by the City of San Antonio
Development Services Department
(03/22/2007)

CASE NO: A-07-026

Board of Adjustment – April 2, 2007

Applicant: John M. Neugebauer

Owner: D & R Development, Ltd.

Request(s): A 26-foot variance from the minimum 30-foot rear setback required in “C-2” and “C-3” zoning districts when abutting a residential use or residential zoning district, in order to construct a building 4 feet from the rear lot line

Legal Description: Lot 93, Block 67, NCB 15910

Address: 10042 Potranco Road

Zoning: “C-2” General Commercial District and “C-3R” General Commercial Restricted Alcoholic Sales District

Existing Use: Vacant

Neigh. Assoc: None

Neigh. Plan: None

Section of the City Code from which this variance is requested

Section 35-310 Zoning District Purpose Statements and Design Regulations: A minimum 30-foot rear setback is required in “C-2” and “C-3” zoning districts when abutting a residential use or residential zoning district.

Background: The subject property is located in a developing commercial node on the City’s far west side. This lot is situated on the southeast corner of the intersection of Potranco Road and Fillmore Drive. The large parcel to the north is zoned for commercial use but is currently vacant. The lot to the west is occupied by a gasoline filling station. The lot directly to the south is zoned for residential use and is currently vacant. The large lot to the south and east is primarily zoned for residential use with the northern strip along Potranco zoned for commercial use. This lot is the future location of a proposed church. In 2006, the owner of the subject property entered into an agreement with the owner of this lot to jointly establish, construct and maintain a privately held ingress/egress easement. The owner of the subject lot purchased a portion of the lot to the south for construction of this ingress/egress easement.

The applicant is proposing to construct 16,320 square feet of retail space on the subject property. As planned, a portion of the single building would be constructed within 4 feet of the rear lot line, thereby encroaching into the 30-foot rear setback.

Recommendation: The intent of the rear setback requirement for commercial uses is to help provide a reasonable buffer to protect abutting residences from the noise, light, and traffic typically generated by commercial uses, to allow for air flow and light penetration, and to prevent the overcrowding of lots. Due to unique conditions, a literal enforcement of the rear setback requirement would, in this case, result in unnecessary hardship. The owner of the subject property and the owner of the abutting lot have entered into a development agreement that calls for the establishment and maintenance of a 30-foot ingress/egress easement. The Unified Development Code does not require a rear setback be maintained when property zoned “C-2” or

"C-3" abuts a **public** alley or other **public** right-of-way. The jointly owned 30-foot ingress/egress easement will provide a separation of uses in a manner similar to a public alley while the perpetual nature of the development agreement ensures the easement will be retained. Even though this 30-foot easement is located on abutting lots and not the subject lot, it will ensure all future structures are located more than 30 feet from the shopping center. Staff recommends **approval** of the requested variance.

Case Manager: Michael Taylor, Planner II (210) 207-0132



Board of Adjustment

Notification Plan for Case A-07-028



Legend

Subject Property ———
200' Buffer ———

Scale: 1" approx. = 80'
Council District 1



Produced by the City of San Antonio
Development Services Department
(03/22/2007)

Board of Adjustment - Case No. A-07-028

April 2, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 2, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Charles Eden

The east 46 feet of Lot 9 and the west 16.5 feet of Lot 10, Block 3, NCB 2964

605 Kendall Street

Zoned: “MF-33” Multi-Family District

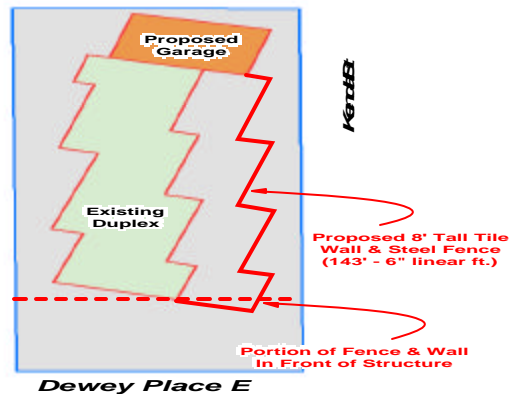
The applicant is requesting **1)** a 5-foot variance from the requirement that solid screen fences in front yards be no taller than 3 feet, in order to erect an 8-foot tall solid screen fence in the front yard, and **2)** a 2-foot variance from the requirement that solid screen fences on side yards be no taller than 6 feet, in order to erect an 8-foot tall solid screen fence on the side yard.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

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Board of Adjustment

**Plot Plan for
Case A-07-028**



Scale: 1" approx. = 40'
Council District 1

605 Kendall St

Produced by the City of San Antonio
Development Services Department
(03/22/2007)

CASE NO: A-07-028

Board of Adjustment – April 2, 2007

Applicant: Charles Edens

Owner: Sprott & Burklund Design LLC

Request(s): 1) a 5-foot variance from the requirement that solid screen fences in front yards be no taller than 3 feet, in order to erect an 8-foot tall solid screen fence in the front yard, and 2) a 2-foot variance from the requirement that solid screen fences in side yards be no taller than 6 feet, in order to erect an 8-foot tall solid screen fence in the side yard

Legal Description: The east 46 feet of Lot 9 and the west 16.5 feet of Lot 10, Block 3, NCB 2964

Address: 605 Kendall Street

Zoning: "MF-33" Multi-Family District

Existing Use: Duplex

Neigh. Assoc: Tobin Hill Neighborhood Association

Neigh. Plan: Tobin Hill

Section of the City Code from which this variance is requested

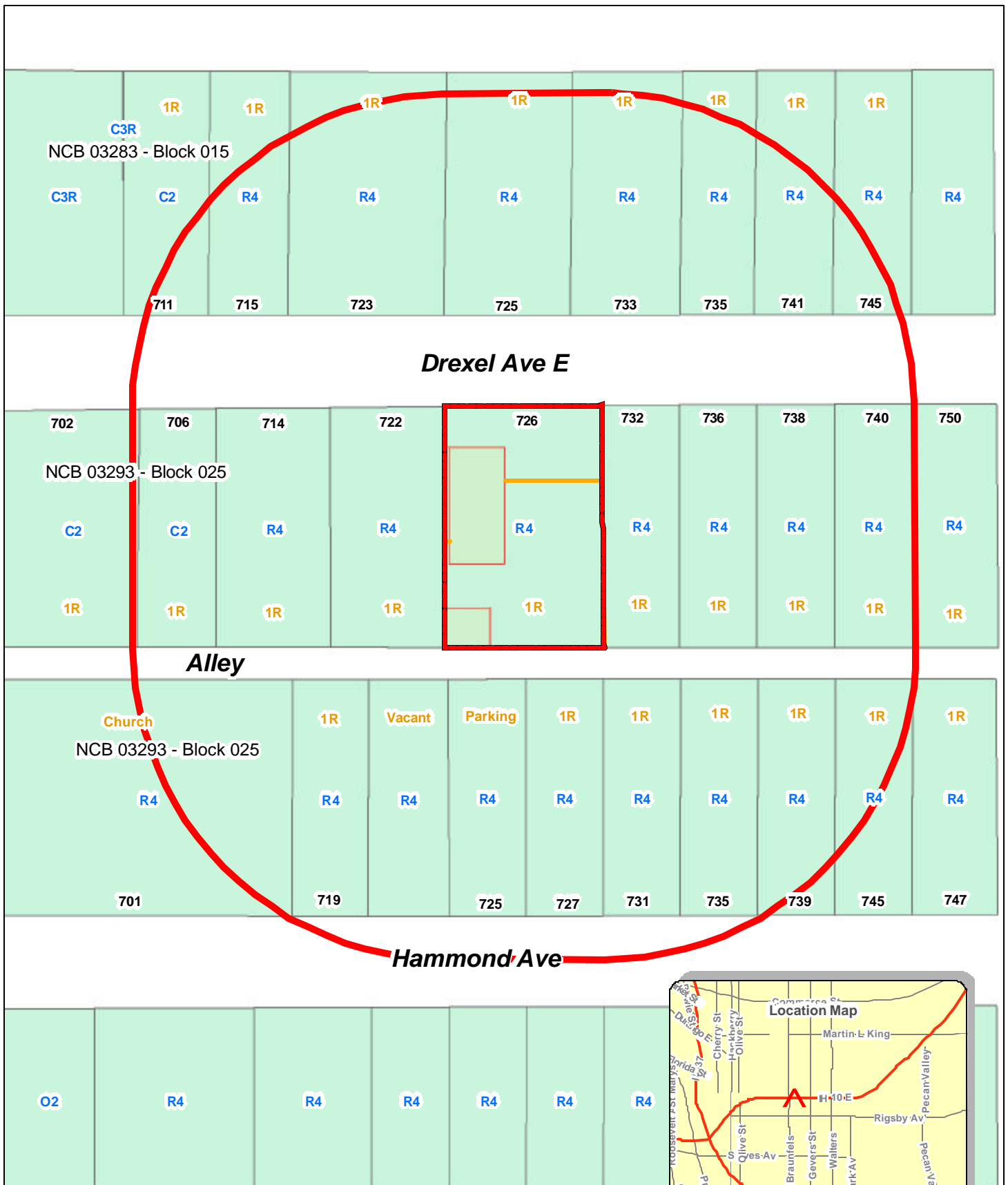
35-514 Fences and Walls: No fence or wall, other than the wall of a permitted structure, shall be erected or altered in any front yard to exceed a height of 4 feet with the fence or wall to be so constructed that vision will not be obscured above a height of 3 feet and no fence or wall, other than the wall of a permitted structure, shall be erected or altered in any side or rear yard to exceed a height of 6 feet.

Background: The subject property is located in an established residential single-family and multi-family neighborhood and is occupied by two separate dwellings units. This property is situated on the northwest corner of Kendall Street and East Dewey Place, between North St. Marys Street and McCullough Avenue, north of IH 35 North. Residential zoning and uses exist to the north, south and west, while commercial zoning lies to the east.

Recommendation: The intent of the maximum fence height requirement in front yards is to allow for property owner desired property delineation while also achieving openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. There do not appear to be special physical or topographic conditions on the subject property where literal enforcement of the front yard fence height limitations would result in unnecessary hardship. Staff recommends **denial** of the requested variance to erect an 8-foot tall solid screen fence in the front yard.

The intent of the maximum fence height requirement in side and rear yards is to allow for property owner desired privacy while also achieving openness, air flow, light penetration and neighborhood uniformity. There do not appear to be special physical conditions where literal enforcement of the fence height limitations would result in unnecessary hardship. With no apparent difference in elevation along the side yard, a 6-foot tall fence would appear to provide sufficient screening. Staff recommends **denial** of the requested variance to erect an 8-foot tall fence in the side yard.

Case Manager: David Arciniega, Planner II (210) 207-6944



Board of Adjustment
Notification Plan for
Case A-07-031



Legend
 Subject Property
 200' Buffer

Scale: 1" approx. = 80'
 Council District 3



Produced by the City of San Antonio
 Development Services Department
 (03/01/2007)

Board of Adjustment - Case No. A-07-031

April 2, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 2, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Salvador Rico Jr.
Lots 7 and 8, Block 25, NCB 3293
726 East Drexel Avenue
Zoned: “R-4” Residential Single-Family District

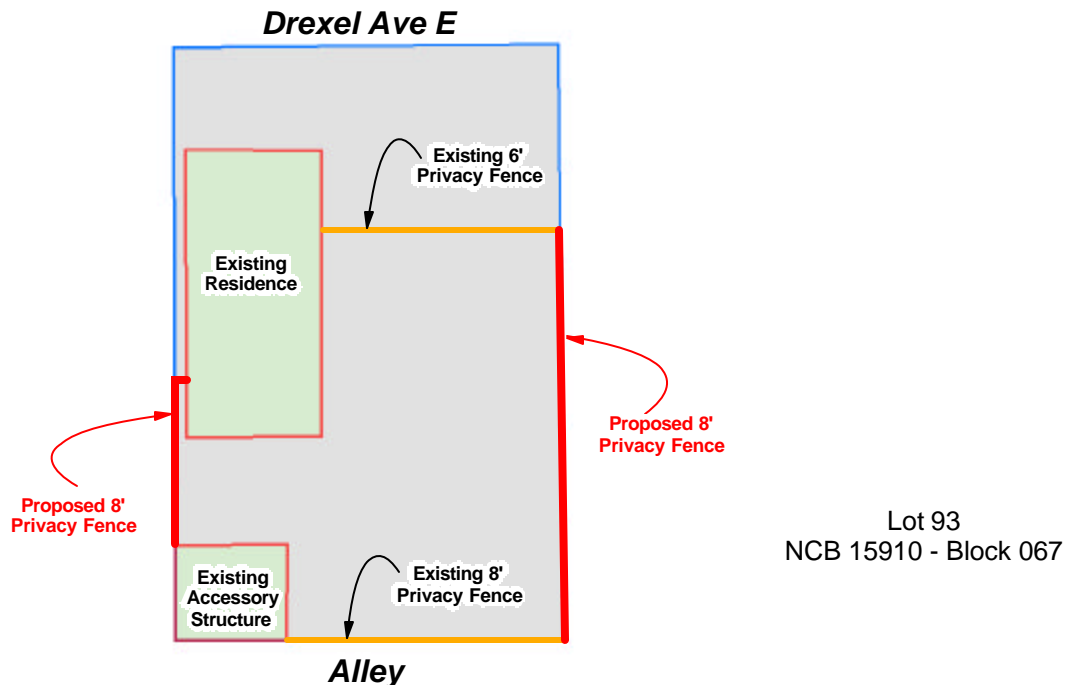
The applicant is requesting a 2-foot variance from the Unified Development Code requirement that fences in side or rear yards be no taller than 6 feet, in order to keep, and add to, an existing 8-foot tall solid screen fence in the side and rear yards.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager Michael Taylor at (210) 207-0132. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the enclosed card to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.



Board of Adjustment

**Plot Plan for
Case A-07-031**



Scale: 1" approx. = 50'
Council District 3

726 Drexel Ave E

Produced by the City of San Antonio
Development Services Department
(03/21/2007)

CASE NO: A-07-031

Board of Adjustment – April 2, 2007

Applicant: Salvador Rico Jr.

Owner: Salvador Rico Jr.

Request(s): A 2-foot variance from the requirement that fences in side or rear yards be no taller than 6 feet, in order to keep, and add to, an 8-foot tall solid screen fence in the side and rear yards

Legal Description: Lots 7 and 8, Block 25, NCB 3293

Address: 726 East Drexel Avenue

Zoning: "R-4" Residential Single-Family District

Existing Use: Single-Family Residence

Neigh. Assoc: Highland Park Neighborhood Association

Neigh. Plan: Highlands Community Plan

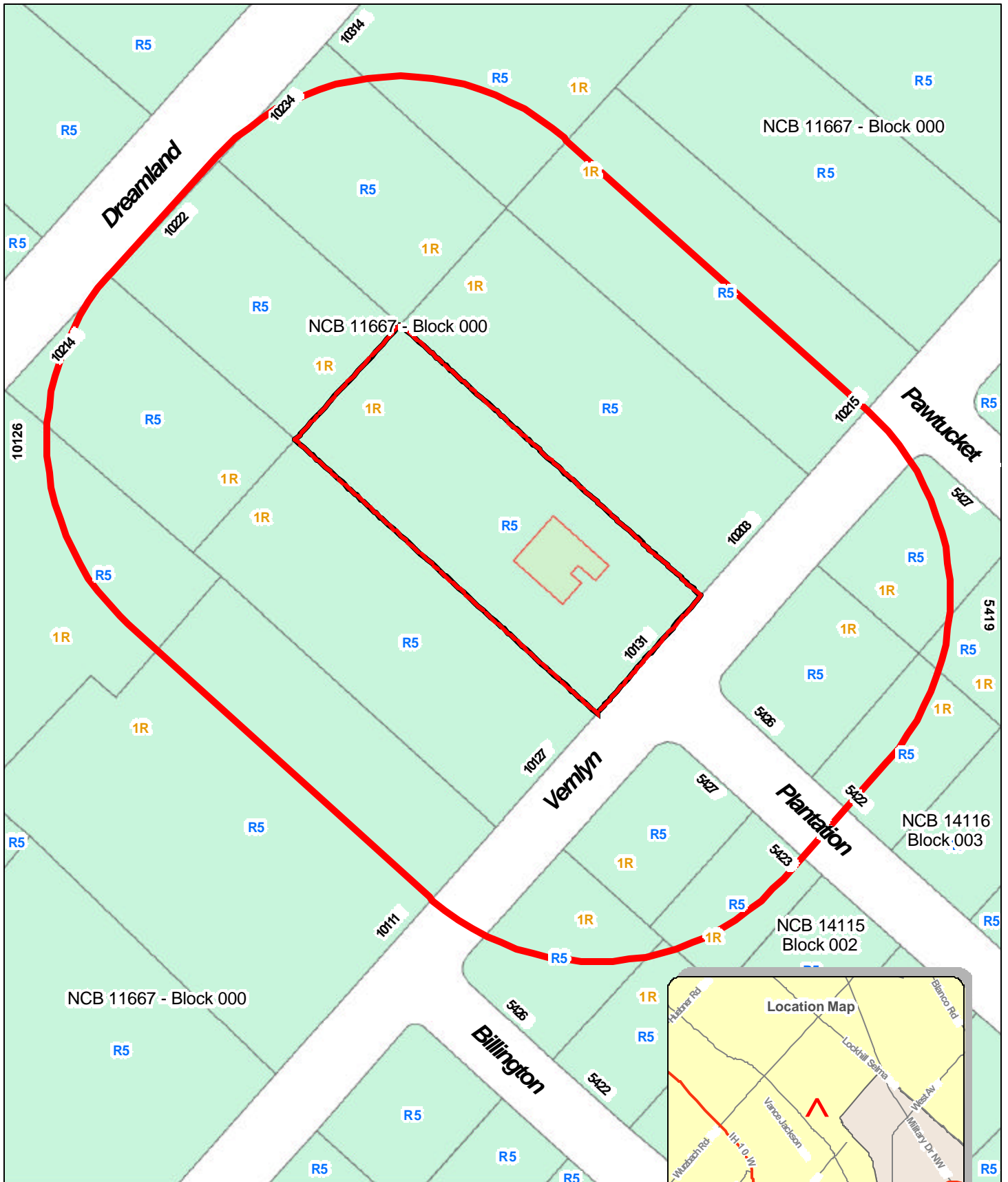
Section of the City Code from which this variance is requested

Section 35-514 Fences and Walls: No fence or wall, other than the wall of a permitted structure, shall be erected or altered in any side or rear yard to exceed a height of 6 feet.

Background: The subject property is located in an established single-family residential neighborhood located just southeast of Downtown. The subject lot is situated on the south side of East Drexel Avenue between South New Braunfels Avenue and Nopal Street. Single-family residences lie to the north, east and west. The lot to the south and west is occupied by a single-family residence. The lot to the south and east is paved and utilized as a parking lot for the church located on the corner of South New Braunfels Avenue and Hammond Avenue. Portions of the side and rear yards of the subject property are currently enclosed by an 8-foot tall, solid screen fence constructed of sheet metal. On July 21, 2006, the applicant received a citation for constructing the 8-foot tall fence without required permits. The applicant is requesting a variance to keep the existing sections of 8-foot tall fence and add additional sections of 8-foot tall fence in the side and rear yards.

Recommendation: The intent of the maximum fence height requirement in rear and side yards is to allow for property owners' desired privacy, while also allowing for openness, air flow, light penetration, and neighborhood uniformity. There do not appear to be any unique terrain features on this site that would warrant the granting of a variance for a taller fence than is allowed. A 6-foot tall solid screen fence is typically deemed sufficient to provide the desired screening between residences. Staff recommends **denial** of the requested variance.

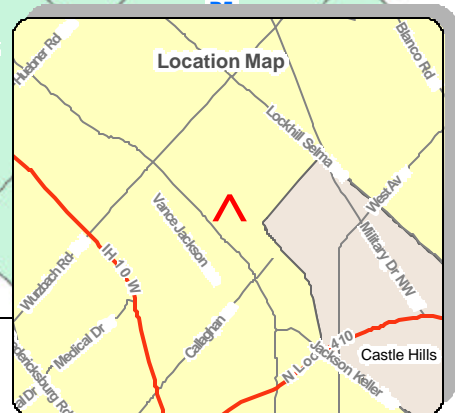
Case Manager: Michael Taylor, Planner II (210) 207-0132



Board of Adjustment
Notification Plan for
Case A-07-032



Legend
 Subject Property
 200' Buffer



Scale: 1" approx. = 100'
 Council District 8

Produced by the City of San Antonio
 Development Services Department
 (03/22/2007)

Board of Adjustment - Case No. A-07-032

April 2, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 2, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Maria Luna

Lot 6, NCB 11667

10131 Vernlyn

Zoned: "R-5" Residential Single-Family District

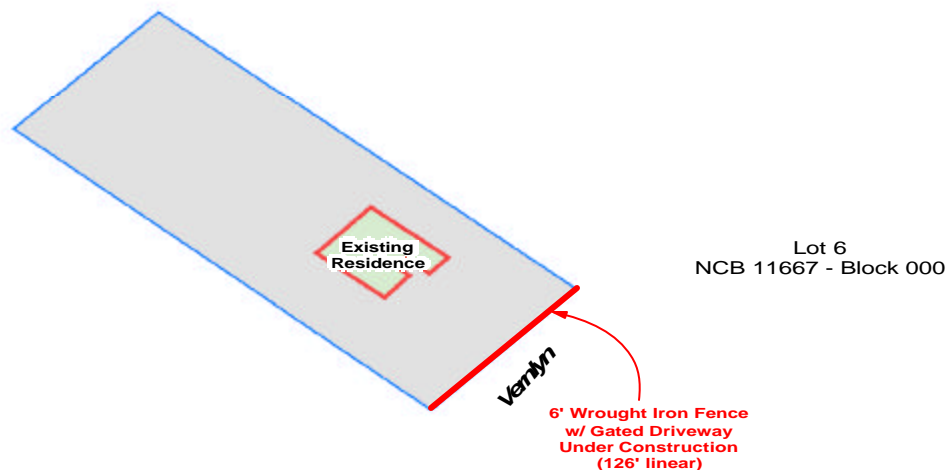
The applicant is requesting a 2-foot variance from the Unified Development Code requirement that predominately open fences in front yards be no taller than 4 feet, in order to keep a 6-foot tall predominately open fence in the front yard.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the enclosed card to the Development Services Department, 1901 South Alamo, San Antonio, Texas 78204-3966. Thank you.



Board of Adjustment

**Plot Plan for
Case A-07-032**



Scale: 1" approx. = 100'
Council District 8

10131 Vernlyn

Produced by the City of San Antonio
Development Services Department
(03/22/2007)



CASE NO: A-07-032

Board of Adjustment – April 2, 2007

Applicant: Maria Luna

Owner: Maria Luna

Request(s): A 2-foot variance from the requirement that predominantly open fences in front yards be no taller than 4 feet, in order to keep a 6-foot tall predominately open fence in the front yard

Legal Description: Lot 6, NCB 11667

Address: 10131 Vernlyn

Zoning: "R-5" Residential Single-Family District

Existing Use: Single-family residence

Neigh. Assoc: Vance Jackson Neighborhood Association

Neigh. Plan: None

Section of the City Code from which this variance is requested

35-514 Fences and Walls: No fence or wall, other than the wall of a permitted structure, shall be erected or altered in any front yard to exceed a height of 4 feet with the fence or wall to be so constructed that vision will not be obscured above a height of 3 feet.

Background: The subject property is located in a residential single-family subdivision and is occupied by a single-family residence. The subject property is located on the north side of Vernlyn, north of Vance Jackson Road and south of Lockhill Selma Road. Residential single-family zoning and uses surround on all sides. The applicant received a citation on February 14th of 2007 for constructing a 6-foot tall fence in the front yard without a building permit. A stop work order was issued and the 6-foot tall fence remains unfinished.

Recommendation: The intent of the maximum fence height requirement in front yards is to allow for desired property delineation while maintaining equally desired openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. The size and scale of the subject fence the applicant is proposing to complete is not consistent with the existing conditions in the neighborhood. There do not appear to be special physical or topographic conditions on the subject property where literal enforcement of the front yard fence height limitations would result in unnecessary hardship. Staff recommends **denial** of the requested variance to erect a 6-foot tall predominately open fence in the front yard.

Case Manager: David Arciniega, Planner II (210) 207-6944